

REMARKS

Following entry of the foregoing amendments, claims 1 to 3, 10, 11, 13 to 41, 44, 45, and 72 will be pending in this patent application. Claims 44, 45, and 72 have been amended, herein. No claims have been canceled, and no new claims have been added. Support for the amendments is found throughout the specification as originally filed, as discussed more fully below, and the amendments thus do not introduce new matter into the application.

Applicant acknowledges with appreciation the Examiner's indication that claims 1 to 3, 10, 11, and 13 to 41 are allowable. Applicant respectfully requests reconsideration of the rejections of record in view of the foregoing amendments and the following remarks.

Alleged Failure to Comply With the Enablement Requirement

Claims 44, 45, and 72 have been rejected under 35 U.S.C. § 112, first paragraph for allegedly failing to comply with the enablement requirement. The Office concedes that the specification is enabling for methods that comprise administering isolated non-pathogenic host cells to patients, but asserts that claims 44, 45, and 72 encompass administration of pathogenic host cells, and further asserts that the specification does not enable methods that comprise administration of such pathogenic cells. Without conceding the correctness of the assertions, and to advance prosecution, claims 44, 45, and 72 have been amended herein to recite that the host cells are suitable for veterinary or human therapeutic use, making explicit that the claimed methods do not involve administration of pathogenic host cells. Support for the amendments is found throughout the specification as originally filed, including, for example, page 17, line 18, and the amendments thus do not introduce new matter into the application. The rejection has thus been obviated, and applicant accordingly, respectfully, requests withdrawal thereof.

DOCKET NO.: CARP-0123/P035760US/HGH
Application No.: 10/579,981
Office Action Dated: March 4, 2009

PATENT

Conclusion

Applicant believes that the foregoing constitutes a complete and full response to the official action of record. An early and favorable action is accordingly, respectfully requested.

Respectfully submitted,

Date: June 3, 2009

/Jane E. Inglese/
Jane E. Inglese, Ph.D.
Registration No. 48,444

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439